

Message Text

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PAGE 01 GUAYAQ 00164 292254Z

70

ACTION COA-01

INFO OCT-01 ARA-06 ISO-00 L-02 EB-07 SCA-01 H-01 INR-07

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FM AMCONSUL GUAYAQUIL

TO SECSTATE WASHDC IMMEDIATE 3636

INFO AMEMBASSY QUITO IMMEDIATE

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E. O. 11652: N/A

TAGS: PFOR, EFIS, PLOS, EC, US

SUBJ: CONSULATE GENERAL ASSISTANCE RE SEIZURE OF US TUNA
VESSELS

1. AFTERNOON OF JAN. 29 CONGEN RECEIVED PHONE CALL FROM CAPTAIN NICOLAS LAVALOUISE, MASTER OF CITY OF LISBON. LAVALOUISE STATED THAT HE HAD BEEN INFORMED BY TUNA ASSOCIATION REPS IN WASHINGTON THAT STATE DEPARTMENT BRIEFING OFFICERS HAD TOLD THEM THAT, BASED ON INFORMATION RECEIVED FROM CONSULATE GENERAL, CAPTAINS OF SEIZED VESSELS "DID NOT GIVE A DARN" WHETHER CATCH CONFISCATED OR NOT. I TOLD CAPTAIN LAVALOUISE THAT NO SUCH REPORT HAD BEEN SENT BY THIS OFFICE AND THAT I WAS UNABLE TO EXPLAIN HOW THIS INTERPRETATION COULD BE DERIVED FROM MESSAGES FROM SENT BY CONGEN. TUNA ASSOCIATION REPS AND CAPTAINS OF SEIZED VESSELS OBVIOUSLY CONCERNED AND I TOLD LAVALOUISE THAT MESSAGE WOULD BE SENT TO CLARIFY THIS MISUNDERSTANDING.

2. LAVALOUISE ALSO STATED HIS STRONG DESIRE THAT CONSULAR OFFICER BE PRESENT IN SALINAS 24 HOURS A DAY UNTIL SEIZURE MATTER FINALLY SETTLED. I TOLD HIM THAT CONSUL KELLER DEPARTING FOR SALINAS THIS AFTERNOON BECAUSE OF OCEAN QUEEN SEIZURE AND THAT I WOULD DO ALL
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PAGE 02 GUAYAQ 00164 292254Z

POSSIBLE TO HAVE A USG REP PERMANENTLY IN SALINAS UNTIL SEIZURE

PROBLEMS RESOLVED.

3. CONSULAR ASSISTANCE RENDERED BY THREE RANKING OFFICERS OF THIS POST TO SEIZED VESSELS IN FORM OF PERSONAL PRESENCE IN SALINAS AND IN CONTACTS WITH ECUADOREAN AUTHORITIES, NATIONAL TUNA INDUSTRY, SEIZED BOATS' REPRESENTATIVE, AND CAPTAINS OF VESSELS HAS BEEN DOCUMENTED IN PREVIOUS MESSAGES. IN ORDER KEEP OUR SOMETIMES LENGTHY MESSAGES AS BRIEF AS POSSIBLE, EACH INDIVIDUAL TELEPHONE CALL, CONVERSATION, AND CONTACT HAS NOT BEEN REPORTED. IN PART BECAUSE OF OUR INTERVENTIONS, CREWS HAVE BEEN PERMITTED TO COME ASHORE IN SALINAS. WE HAVE INFORMED PORT CAPTAIN OF COMPLAINTS OF PETTY THIEVERY BY ECUADOREAN SAILORS PLACED ON BOATS. NO ITEMS HAVE BEEN RECOVERED BUT WE BELIEVE SITUATION HAS IMPROVED. RADIO SILENCE HAS NOT BEEN LIFTED AND WE HAVE BEEN INFORMED THAT IT WILL REMAIN IN FORCE UNTIL FINES HAVE BEEN PAID.

4. I EXPLAINED TO CAPTAIN LAVALOUISE THAT IN PAST YEARS CONSULAR OFFICERS HAD BEEN PRESENT IN SALINAS FROM NOTIFICATION OF SEIZURE UNTIL BOATS DEPARTED BECAUSE PRACTICALLY ALL TRANSACTIONS WERE STANDARDIZED AND UNDERSTOOD BY ALL, BECAUSE THESE PROCEEDINGS TOOK PLACE IN SALINAS, AND BECAUSE PROBLEMS OF CAPTURED VESSELS USUALLY RESOLVED IN A FEW DAYS. PRESENT SITUATION IS ENTIRELY DIFFERENT, HOWEVER, BECAUSE THESE ARE FIRST SEIZURES TO TAKE PLACE UNDER NEW FISH LAW, WHICH CONTAINS MANY COMPLEX AND OBTUSE PROVISIONS, NO ONE CAN PREDICT IN ADVANCE WHAT THE COURSE OF EVENTS WILL BE. BECAUSE OF THE INTRACACY AND PRECEDENT-SETTING NATURE OF EACH STEP IN THE PROCEEDINGS, MOST OF THE DECISION-MAKING AND PROCESSING HAS TAKEN PLACE IN GUAYAQUIL AND, WE SUSPECT, IN QUITO. FINALLY, THE RESOLUTION OF THE PRESENT SEIZURES PROBLEM IS UNFORTUNATELY TAKING CONSIDERABLY LONGER THAN WAS THE CASE WITH PAST CAPTURES. FOR THE ABOVE REASONS, ONE CONSULAR OFFICER HAS NOT BEEN DETAILED TO SALINAS TO REMAIN THERE UNTIL THE CAPTURED BOATS DEPARTED.
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